IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24007 of 2004

Between:

Edara Samrajyam W/o.K.Mallikarjuna Reddy
Nagarajukunta Village, Konakanamitla (M),
Prakasam Dist.

..... PETITIONER

AND

1 The Joint Collector
Ongole, Prakasam Dist.
2 The Revenue Divisional Officer
Kandukur, Prakasam Dist.
3 The Mandal Revenue Officer
Konakanamitla Mandal, Prakasam Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not issuing release order to the petitioner for lifting Essential Commodities for the month of November, 2004 and distribute the same to the card holders of Nagarajukunta village, K.K.Mitla Mandal, Prakasam district as illegal, arbitrary, malafide amounting to dereliction to duty and consequently direct the respondents to issue release orders to the petitioner by receiving Demand Drafts for the months of November and December, 2004 enabling the petitioner to distribute the Essential commodities to the card holders of Nagarjukunta Village, K.K.Mitla Mandal, Prakasam Dist forthwith and pass such other order or orders.

Counsel for the Petitioner:MR.M.SUBBA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

ORDER:

Petitioner was appointed as a fair price shop dealer, in the year 1993, for Nagarajukunta Village, Konakanamitla Mandal, Prakasam District. Her grievance is that the Mandal Revenue Officer, the 3rd respondent herein, is not permitting her to lift the stocks and he is not accepting the demand drafts. She made a representation, in this regard, to the 1st respondent on 07.11.2004. He, in turn, called for remarks from the 3rd respondent. The grievance of the petitioner is that no steps were taken thereafter, and in the meanwhile, she is not permitted to lift the stocks, and seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

Petitioner states that she has been appointed as fair price shop dealer in the year 1993, and the same is in subsistence even now. If that be so, she is entitled to be supplied the essential commodities, and there does not exist any justification for denying supplies to her. The 1st respondent has acted promptly on the representation made by the petitioner and called for remarks from the 3rd respondent. However, no steps appear to have been taken thereafter.

Hence, the writ petition is disposed of directing the respondents 2 and 3 to ensure that the petitioner is supplied essential commodities by accepting the demand drafts submitted by her, as long as her authorization is in force. There shall be no order as to costs.

L.NARASIMHA REDDY, J

Dated : 23rd December, 2004

Note: Office to furnish copy

by 24.12.2004

(B/o.)

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To

1 The Joint Collector
Ongole, Prakasam Dist.
2 The Revenue Divisional Officer
Kandukur, Prakasam Dist.
3 The Mandal Revenue Officer
Konakanamitla Mandal, Prakasam Dist.

4 2 CCs to the G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT).

5 2 CD copies.